

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:07-cv-00286-W**

EARL WRIGHT,

Plaintiff,

vs.

**WELLS FARGO BANK and SCOTT
HOLZMEISER.,**

Defendants.

ORDER

THIS MATTER is before the Court pursuant to Plaintiff's "Urgent Motion to Stop Foreclosure" (Doc. No. 5), filed August 8, 2007. Plaintiff's Complaint alleges this Court has jurisdiction over this matter pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 1985. Plaintiff, however, has failed to demonstrate how either § 1983 and § 1985 confer jurisdiction to enjoin the state foreclosure proceeding. A showing of likelihood of success on the merits is an essential showing, which Plaintiff has failed to do. Accordingly, Plaintiff's Motion is DENIED.

IT IS SO ORDERED.

Signed: September 10, 2007



Frank D. Whitney
United States District Judge

